

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Cory Hudson,	}	No. CV-21-01783-PHX-SPL
	}	
Petitioner,	}	ORDER
	}	
vs.	}	
	}	
Alester Adel, et al.,	}	
	}	
Respondents.	}	
	}	

Petitioner Cory Hudson has filed an Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 5). The Honorable Eileen S. Willett, United States Magistrate Judge, issued a Report and Recommendation (“R&R”) (Doc. 36), recommending that the Court deny Ground One of the Amended Petition and dismiss Grounds Two, Three, and Four with prejudice (Doc. 36 at 23). Judge Willett advised the parties that they had fourteen (14) days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. (Doc. 36 at 24) (citing 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72; *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

The parties did not file objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly

1 objected to.”). The Court has nonetheless reviewed the R&R and finds that it is well-taken.
2 The Court will adopt the R&R in full. *See* 28 U.S.C. § 636(b)(1) (stating that the district
3 court “may accept, reject, or modify, in whole or in part, the findings or recommendations
4 made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject,
5 or modify the recommended disposition; receive further evidence; or return the matter to
6 the magistrate judge with instructions.”). Accordingly,

7 **IT IS ORDERED:**

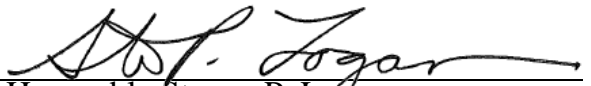
8 1. That Magistrate Judge Eileen S. Willett’s Report and Recommendation (Doc.
9 36) is **accepted** and **adopted** by the Court;

10 2. That Ground One of the Amended Petition for Writ of Habeas Corpus
11 pursuant to 28 U.S.C. § 2254 (Doc. 5) is **denied** and Counts Two, Three, and Four are
12 **dismissed with prejudice**;

13 3. That a certificate of appealability and leave to proceed *in forma pauperis* on
14 appeal are **denied**; and

15 4. That the Clerk of Court shall **terminate** this action.

16 Dated this 22nd day of March, 2023.

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18 Honorable Steven P. Logan
19 United States District Judge
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